

UNITED STATES MISSION TO THE UNITED NATIONS

U.S. DISABILITY RIGHTS LAW: EDUCATION

In the United States, all girls and boys with disabilities have the right to a free appropriate public education in the least restrictive environment, regardless of the nature or severity of their disability. At the university level, the law mandates that young women and men with disabilities enjoy an equal opportunity to participate in all educational programs. The goal of U.S. education policy is to achieve the full inclusion, social integration, employment, and independent living of all people with disabilities.

Elementary and Secondary Schools

Public schools are required to provide a free appropriate education to students with disabilities based on their individualized educational needs. In most cases, this involves the development of an Individualized Education Program (IEP) tailored to the individual student's needs, which may include either regular or special education as well as the provision of related aids and services designed to meet the student's individual needs as adequately as the needs of other students are met. Related aids and services may include:

- X interpreters, readers, any equipment necessary to make physical accommodations
- X modifications to test-taking procedures
- X adjustments to rules regarding absences when a student's absences are due to a disability

Integration

Students with disabilities must be integrated with and educated alongside other students to the maximum extent appropriate to their individualized educational needs. This applies not only to traditional academic settings, such as classrooms, but to all nonacademic and extracurricular activities, including meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and student employment.

Higher Education

Colleges and universities are required to provide students with disabilities with appropriate academic adjustments and auxiliary aids and services necessary to afford them an equal opportunity to participate in the school's program. Examples of such auxiliary aids:

- X include taped texts, notetakers, interpreters, readers and specialized computer equipment
- X but do *not* include devices or services of a personal nature, such as personal attendants, hearing aids, wheelchairs, or readers for personal use or study

The equal opportunity mandate applies to all programs and services offered by the school, including academic programs, extracurricular activities, athletics, and off-campus activities.

For more information, visit the U.S. Department of Justice's ADA Home Page at www.ada.gov.

For more information about educational requirements for students with disabilities, visit the U.S. Department of Education's website at <http://www.ed.gov/about/offices/list/ocr>.

(Circulated by the United States during the Seventh Session of the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities, January 16 – February 3, 2006)

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